

**REMARKS**

Claims 1-14 are currently pending in the present application. Reconsideration and reexamination of the claims are respectfully requested.

The Examiner rejected Claims 1-14 under 35 U.S.C. § 103(a) as being unpatentable over Hasegawa et al. (U.S. Patent No. 6,928,261) in view of Nishimoto et al. (U.S. Patent Publication No. 2002/0000156) and in further view of Dewing et al. (U.S. Patent Publication No. 2004/0068532). This rejection is respectfully traversed.

As previously communicated, and repeated herein, the present invention is directed to a system and method for storing and delivering a first and a second content (together as a composite content) to a client terminal (*e.g.*, a mobile phone or a personal computer, etc.). As shown in Fig. 2 of the present application, an example of a first content can be musical score data, and an example of a second content can be MIDI data. The contents are delivered after being formatted together as a single composite content file (as recited in the claims).

As also previously communicated, before the single composite content is delivered, a determination is first made as to a client terminal's identity and, using that identification information, another determination is made as to whether the client terminal can process the first content in the format as stored. If it is determined that the client terminal cannot process the first content in the format as stored, then the first content is converted into a different format that can be processed by the client terminal. The converted first content (recited as "first content material of second format") is then combined with the second content into a single composite content and then delivered to the client terminal.

The recited invention further provides that a list of titles to the composite content is first transmitted to the client terminal, from which a server may receive a request for a particular title to be transmitted to the client terminal. In response to receiving a request for a particular title for a composite content, first content material (in the first format) and second content material corresponding to the title selection are extracted and sent together as composite content material to the client terminal. Again, if it is determined that the client terminal cannot process the first content material in the first format, then the first content material is converted to a second format before combining it with the second material and sending them together as composite content material.

The present invention offers the benefit of delivering first and second content materials to a user in response to a single selection operation of a title, avoiding the need to first download, for example, a musical score and then separately downloading MIDI data corresponding to the musical score.

As the Examiner acknowledged at pages 6-7 of the Detailed Action, Hasegawa and Nishimoto are deficient in numerous respects, including a transmission section, a delivery request section, a storage section, a first content material extraction section, and a second content material extraction section, as recited in the previously presented claims. In short, as Applicants previously submitted, neither Hasegawa nor Nishimoto contain any disclosure of transmitting a plurality of titles to a client terminal, and, in response to a selection of one of the titles, transmit to the client terminal composite content material that is composed of first and second content materials (which are separately extracted from a database), wherein the first content material is converted to a different format before combining it with the second material on an as necessary basis.

The Examiner cites Dewing to make up for the deficiencies of Hasegawa and Nishimoto. However, Applicants respectfully submit that Dewing fails to make up for the above-listed deficiencies.

Dewing is directed to the production and delivery of content to wireless devices. As the Examiner indicated at page 8 of the Detailed Action, Dewing teaches providing media content that is deliverable to user devices, where a file server stores the media content which is managed by a database that associates type and attributes to the stored content. The associated type and attributes allow a filtering of search results in order to deliver the appropriate content (*see, e.g.*, Fig. 14 as cited by the Examiner).

However, Dewing is completely silent as to transmitting a plurality of titles to a client terminal, and, in response to a selection of one of the titles, transmit to the client terminal composite content material, wherein the composite material is composed of first and second content materials that are separately extracted from a database by different content extraction sections, and wherein the first content material is converted to a different format before combining it with the second material on an as necessary basis in order to author the composite material. In fact, just like Hasegawa and Nishimoto, there is no mention of authoring “composite material” whatsoever in Dewing, not to mention, *inter alia*, the transmission section as recited in the pending claims.

Applicants respectfully submit that, even with the combination of Dewing, the cited prior art references do not teach or disclose all of the limitations of the pending claims.

In view of the above, Applicants respectfully submit that Claims 1-14 are not obvious in view of Hasegawa, Nishimoto, and Dewing.

In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to withdraw the outstanding rejection of the claims and to pass this application to issue. If it is determined that a telephone conference would expedite the prosecution of this application, the Examiner is invited to telephone the undersigned at the number given below.

In the event the U.S. Patent and Trademark office determines that an extension and/or other relief is required, applicant petitions for any required relief including extensions of time and authorizes the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to Deposit Account No. 03-1952 referencing docket no. 393032040800. However, the Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

Dated: February 11, 2009

Respectfully submitted,

By / David T. Yang /

David T. Yang

Registration No.: 44,415

MORRISON & FOERSTER LLP

555 West Fifth Street

Los Angeles, California 90013-1024

(213) 892-5587